



Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 263 13th Avenue South, St. Petersburg, Florida 33701

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FOR IMMEDIATE RELEASE:

December 12, 2005
FB05-066

Final Rule for Amendment 6 to the Fishery Management Plan for the Shrimp Fishery of the South Atlantic Region Small Entity Compliance Guide

The National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries Service) has published a final rule to implement Amendment 6 to the Fishery Management Plan for the Shrimp Fishery of the South Atlantic Region (FMP), as prepared and submitted by the South Atlantic Fishery Management Council (Council). This final rule will require an owner or operator of a trawler that harvests or possesses brown, pink, or white shrimp (penaeid shrimp) in or from the exclusive economic zone (EEZ) off the southern Atlantic states to obtain a commercial vessel permit for South Atlantic penaeid shrimp; require an owner or operator of a vessel in the South Atlantic rock shrimp or penaeid shrimp fishery to submit catch and effort reports and to carry an observer on selected trips; and require bycatch reduction devices (BRDs) in nets in the rock shrimp fishery.

The approval of Amendment 6 gives effect to several non-regulatory actions as well. The Council is transferring the authority for the shrimp Bycatch Reduction Device (BRD) testing protocol to NOAA Fisheries Service, and modifying the bycatch reduction certification criterion to a general 30 percent finfish reduction. Additionally, the amendment establishes or modifies designations of maximum sustainable yield, optimum yield, overfishing and overfished for penaeid and rock shrimp.

Shrimp Permits

An owner of a vessel who desires a commercial vessel permit must obtain a permit application form from the Permits Branch of NOAA Fisheries Service' Southeast Regional Office (SERO Permits Branch). Information on the application form consists of the standard information and documentation required for commercial vessel permits. There are no earned income or landing requirements for these permits. Penaeid shrimp vessels must have a permit onboard by **April 11, 2006**. This time period is considered adequate for vessel owners currently in the fishery to obtain, complete, and submit

applications and for the SERO Permits Branch to process the applications and issue permits.

For additional information regarding permit applications, please contact:

NOAA Fisheries Service Southeast Regional Office
Permits Branch
263 13th Avenue South
St. Petersburg, Florida 33701
Phone: 727-824-5326

A fee will be charged for each application for a permit or a written request for replacement of a permit. The applicable fee would be specified on the appropriate form.

A vessel obtaining a permit for the South Atlantic penaeid shrimp fishery will be required to display and maintain its official number on the port and starboard sides of the deckhouse or hull and, for vessels over 25 ft (7.6 m) long, on an appropriate weather deck, so as to be clearly visible from an enforcement vessel or aircraft. The official number must be in block arabic numerals permanently affixed to or painted on the vessel in contrasting color to the background. The official number must be at least 18 inches (45.7 cm) in height for vessels over 65 ft (19.8 m) long; at least 10 inches (25.4 cm) in height for vessels over 25 ft (7.6 m) long; and at least 3 inches (7.6 cm) in height for vessels 25 ft (7.6 m) long or less.

Recordkeeping, Reporting, and Observers

Owners and operators of vessels with permits for South Atlantic rock shrimp or South Atlantic penaeid shrimp who are selected by the Science and Research Director, Southeast Fisheries Science Center, NOAA Fisheries Service (SRD), will be required to maintain and submit catch and effort reports. Forms for such reporting would be available from the SRD. These fishing records must be submitted to the SRD postmarked not later than 7

days after the end of each fishing trip. If no fishing occurred during a calendar month, a report so stating must be submitted on one of the forms postmarked not later than 7 days after the end of that month. Information to be reported will be indicated on the form and its accompanying instructions.

Similarly, owners and operators of vessels with permits for South Atlantic rock shrimp or South Atlantic penaeid shrimp will be required to carry NMFS-approved observers on trips selected by the SRD. Observers will collect data on the catch, bycatch, effort, and gear characteristics of the shrimp fishery in the region.

Information from permit applications, required reporting, and observers will provide information necessary for effective management of the South Atlantic shrimp fisheries. Those information sources will also comprise part of the program to monitor and assess bycatch in the Atlantic shrimp fisheries. NMFS and the Council will also rely on state funded projects, and the Atlantic Coastal Cooperative Statistics Program's Release, Discard and Protected Species Module, as that program is implemented.

BRDs in the Rock Shrimp Fishery

Vessels participating in the rock shrimp fishery in the South Atlantic EEZ will be required to use BRDs. BRDs are currently required in the penaeid shrimp fishery. Many South Atlantic rock shrimp trawlers already using BRDs voluntarily. BRDs will be required on all rock shrimp trawlers in the South Atlantic EEZ as of **January 11, 2006**.

Approval of Amendment 6 changes the BRD certification criterion for the shrimp fishery of the South Atlantic EEZ. To be certified, a BRD must reduce the total weight of finfish by at least 30 percent. BRDs certified under this new criterion include the Fisheye, Expanded Mesh, Extended Funnel, and the Jones-Davis BRD.

This bulletin serves as a Small Entity Compliance Guide, complying with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. Any discrepancies between this document and the rule as published in the *Federal Register* will be resolved in favor of the *Federal Register*.

NOAA Fisheries Service is dedicated to protecting and preserving our nation's living marine resources and their habitats through scientific research, management and enforcement. NMFS provides effective stewardship of these resources for the benefit of the nation, supporting coastal communities that depend upon them, and helping to provide safe and healthy seafood to consumers and recreational opportunities for the American public.

NOAA, an agency of the U.S. Commerce Department, is dedicated to enhancing economic security and national safety through the prediction and research of weather and climate-related events and providing environmental stewardship of our nation's coastal and marine resources. Through the emerging Global Earth Observation System of Systems (GEOSS), NOAA is working with its federal partners and nearly 60 countries to develop a global monitoring network that is as integrated as the planet it observes.